

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION**

MICHELANGELO RE, )  
Petitioner, )  
v. ) Case No.: 4:19-cv-02061-RDP-JHE  
DAVID RIVERA, et al., )  
Respondents. )

**MEMORANDUM OPINION**

On July 15, 2020, the Magistrate Judge entered a Report and Recommendation, (Doc. 10), recommending that the petition for writ of habeas corpus be dismissed without prejudice. No objections have been filed. The court has considered the entire file in this action, together with the Report and Recommendation, and has reached an independent conclusion that the Report is due to be adopted and the Recommendation is due to be approved.

Accordingly, the court hereby **ADOPTS** and **APPROVES** the findings and recommendation of the Magistrate Judge as the findings and conclusions of this court. The petition for writ of habeas corpus is due to be dismissed without prejudice. A separate Order will be entered.

**DONE** and **ORDERED** this August 6, 2020.

  
**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE